EXHIBIT C

08-01789-cgm Doc 674-4 Filed 11/10/09 Entered 11/10/09 14:35:05 Exhibit C Pq 2 of 4

IRVING H. PICARD

Trustee for the Liquidation of Bernard L. Madoff Investment ecurities LLC c/o Baker & Hostetler LLP

45 Rockefeller Plaza, 11th Floor New York, NY 10111 Tel No.: 212-589-4200

November 10, 2009

IMPORTANT INFORMATION REGARDING THE BERNARI L. MADOFF INVESTMENT SECURITIES LLC 401(k) PLAN

General Information for All Current Participants and Beneficiaries and ertain Former Participants and Beneficiaries

You have been sent this letter because records show that you currently balance which is being held under the terms of the Bernard L. Madoff Invest ("BLMIS") Plan (the "401(k) Plan"), either as a participant in the 401(k) Plan (such as a former spouse of a participant who holds a qualified domestic rela or a designated beneficiary of a deceased former participant), or because 401 indicate you previously maintained an account balance under the terms of the 101(k) Plan but took distribution of that balance sometime on or after November 1, 2006.

maintain an account ent Securities LLC or as a beneficiary ons order ("QDRO"),) Plan records

On December 11, 2008, the Securities and Exchange Commission bro States District Court for the Southern District of New York against Bernard 1 alleging securities fraud. On December 15, 2008, on the application of the S Protection Corporation, the District Court found that the customers of BLMI under the Securities Investor Protection Act ("SIPA") and entered an order a Picard trustee (the "Trustee") for the liquidation of BLMIS under SIPA as of and removing the matter to the United States Bankruptcy Court for the South York, Case No. 08-1789 (BRL).

ght suit in the United Madoff and BLMIS curities Investor needed protection ointing Irving H. ecember 11, 2008 n District of New

In connection with discontinuing BLMIS's regular business operation employees, and winding up all related matters, the Trustee now has decided liquidate the 401(k) Plan effective November 30, 2009, and has filed a motic Bankruptcy Court to facilitate that process and put anyone holding potential respect of the 401(k) Plan on notice that any claims they may directly or indi extinguished as part of the process.

, discharging its terminate and with the U.S. aims under or in ctly hold will be

In connection with terminating and liquidating the 401(k) Plan and di certain tasks will be undertaken to ensure compliance with relevant federal la December 2009, an application will be submitted to the Internal Revenue Se ruling confirming the continued tax-favored status of the 401(k) Plan (based Obtaining a favorable IRS ruling will help those individuals who receive 401 to continue to maintain those assets on a tax-favored basis, either by transfer individual retirement account ("IRA") or to another employer-sponsored "ta:

ributing its assets, s and regulations. In ice ("IRS") seeking a its terms).

c) Plan distributions ig them to an qualified" pension or profit-sharing plan. A notice will be provided to all interested parties prior t the mailing of that application, which will include information regarding that IRS application p

Following the complete distribution of all 401(k) Plan assets by Dec Trustee will file a "final" annual report in 2010 with the United States Depar ("DOL") Employee Benefits Security Administration ("EBSA"). A summar will be mailed, as soon as practicable, to all participants and beneficiaries w Plan account balance as of January 1, 2009.

iber 31, 2009, the nent of Labor's of that annual report maintained a 401(k)

Specific Information for Current Participants and Beneficiaries

The assets of the 401(k) Plan currently are being invested through Fi Trust Company ("Fidelity"). The first step in the liquidation process will in elections from the remaining participants and beneficiaries who continue to 401(k) Plan to transfer those assets directly to an IRA, to distribute in cash, of the account to another employer-sponsored eligible retirement plan. Any participants or beneficiaries for the distribution or transfer of their acco Plan must be received by Fidelity no later than December 8, 2009. A dis a 401(k) Plan account will require the liquidation of all current investments, forms of investment (other than outstanding participant loans) to cash.

lity Management lve seeking individual old an interest in the to transfer the value irections by nt under the 401(k) bution or a transfer of utual funds or other

The second step will occur on December 15, 2009, when the Trustee systematically liquidate to cash any assets still invested in mutual funds or o investment (other than outstanding participant loans). Then, three to five bu that final liquidation, those account balances will be transferred to an IRA ci by the Trustee, to be placed in an IRA established by the Trustee on behalf c participant or beneficiary. Any assets that remain following the final distrib may be used to discharge any administrative fees incurred by the 401(k) Pla assets will be liquidated no later than December 31, 2009.

rill direct Fidelity to er forms of ness days following todian to be selected each remaining ions and transfers All 401(k) Plan

Therefore, participants and beneficiaries who still maintain account(s as of the date of this letter are strongly encouraged to promptly liquidate to investments, and make arrangements to take a distribution or arrange for the Plan account(s) no later than December 8, 2009. A 401(k) Plan account car an appropriate election to roll over the balance to an IRA or by taking a disti "Special Tax Notice" for further information about the income tax conseque

under the 401(k) Plan sh all remaining ansfer of their 401(k) be closed by making oution. See the ces of those choices.

To arrange a distribution or a transfer, contact Fidelity's Customer S 5097 or visit www.401k.com no later than December 8, 2009. As noted ab a transfer of your 401(k) Plan account will require the liquidation of all curr funds or other forms of investment (other than outstanding participant loans)

port at 1-800-835e, any distribution or t investments, mutual o cash.

If individual directions are not received by December 8, 2009, the Trustee will direct Fidelity to liquidate all remaining investments and then transfer your a about December 15, 2009, directly to an IRA account that will be establ with an independent IRA custodian or trustee to be selected by the Trus ee. Therefore, if you

ount balance on or hed in your name

do not provide individual directions by December 8, 2009, you will not be ε le to direct your own investments or access your account until after your account is liquidated and ransferred to the IRA established in your name.

In the event of a Trustee-directed transfer to an IRA, the IRA custod n will provide appropriate contact information, information regarding the fees that the IRA will be allowed to charge to that IRA, and information about the transfers of that IRA to a different IRA or to an employer-sponsored eligible retirement lan. More information about the IRA established for you will be provided.

rustee or custodian unds being held under

Additional Information

Additional information or questions regarding the 401(k) Plan and it administration or your rights under the Employee Retirement Income Security Act of 1974, as ame ded ("ERISA") should be submitted in writing to the Trustee using the following contact informatia: Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLI (ATTN: BLMIS 401(k) PLAN), 45 Rockefeller Plaza, 11th Floor, New York, NY 10111.

If you have questions about your rights under ERISA, or if you need documents from the Trustee, you should contact the nearest EBSA office lis directory, or contact the Division of Technical Assistance and Inquiries, Em Security Administration, U.S. Department of Labor, 200 Constitution Aven D.C. 20210, or call 1-866-444-3272. In any correspondence, you should in the 401(k) Plan, the Employer Identification Number ("EIN"), and the Plan Madoff Investment Securities LLC Plan, EIN 13-1997126, Plan No. 002.

ssistance in obtaining ed in your telephone loyee Benefits N.W., Washington, icate the full name of umber: Bernard L.

General information regarding your rights under ERISA also is avail Department of Labor's web site: www.dol.gov/ebsa. You may contact the of the EBSA by calling 202-693-8673 (not a toll free number). You may al publications about your rights and responsibilities under ERISA by calling hotline at 866-444-3272 (a toll free number).

ole at the U.S. ablic Disclosure Room obtain certain e EBSA's publications

Sincerely

Trustee for the Liquidation

of Bernard L. Madoff Investment Securities LLC

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